# FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

PRIOR FOREIGN APPLICATION(S)

Number

0

Country

### RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Date first Laid-

open or Published

PWLLP FORM

Priority NOT Claimed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe! I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED PROGRAMMABLE FRAME SPLITTER

	the	specification of which (CHE)	K applicable BOX(ES) )				
Х		is attached hereto.					
BOX(ES)	<b>→</b>	B. Was filed on		as U.S. Application	No.		 
→ ·	-	C. was filed as PCT In	ternational Application	n No. PCT/	1	on	

and iff applicable to U.S. or PCT application) was amended on hereby state that have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. It acknowledge the duty to disclose all information known to me to be material to patentiability as defined in 37 C.F.R. 1.56. Except as noted below, thereby claim foreign priority benefits under 50 U.S. C. 11(9):(4) or 35(5) of any ferring application(s) for penter or inventor's certificate, or 35(5). C. 11(9):(4) or 35(5) of any ferring application(s) for penter or inventor's certificate, or 35(5). C. 11(9):(4) or 35(5) of any ferring application(s) for penter or inventor's certificate, or 35(5) or any ferring application of the substantian or which is application and a simple application of the penter or inventor's certificate, or 35(5) or any ferring a lifting det (1) before that of the application or which profitting is desirated, or (2) if no drotty claims(a, before the fifting date of this application).

If more prior foreign applications, X box at bottom and continue on attached page.
Except as noted below, I hereby claim domestic prionty benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and
PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this
application is in addition to that disclosed in such prior applications. I acknowledge the duty to disclose all information known to me to be material to patentability as
defined in 37 C.F.R. 1,56 which became available between the filing date of each such prior application and the national or PCT international filing date of this
application:

Dav/MONTH/Year Filed

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)
Application No. (series code/serial no.)
Dav/MONTH/Year Filed

Status Priority NOT Claimed pending, abandoned, patented

**Date Patented** 

or Granted

I hereby declare that all statements made herein of my own browdege are true and that all statements made on information and balled are believed to be true; and unther that these statements were made with the knowledge that willful face statements and the like so made are punishable by fine or imprisonment, or both, under Saction 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pilisbury Winhtrop LtP, Intellectual Property Group, 725 So. Figueroa Street, Suite 2800, Los Angeles, CA 90017-5405, telephone number (213) 483-7100 (to whom all communications are to be directed), and the below-named persons (of the save address) individually and collectively my attorneys to prosecute insignations and to transact all business in the Pattern and Trademark 100 decomended therewith and with the resulting patient, hereby authorize them to declet names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the personassignee/attorney/firm/organization whorkwith first stends/stend this case to them and by whornwithich I hereby described after full discipled with the surface of the control of the full discipled after full discipled in this case to the unknown of the surface of the control of the full discipled in the surface of the surface

i	instruct the above Firm and/c	r a below at	tomey in writing to the contrary					
1	Paul N. Kokulis	16773	Dale S. Lazar	28872	Mark G. Paulson	30793	W. Patrick Bengtsson	32456
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	Carl G. Love	18781	Kendrew H. Colton	30368	Ruth N. Morduch	31044	William P. Atkins	38821
	Kevin E. Joyce	20508	G. Paul Edgell	24238	Richard H. Zaitlen	27248	Paul L. Sharer	36004
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	Donald J. Bird	25323	Timothy J. Klima	34852	Jay M. Finkelstein	21082	Peter Lam	44855
	Peter W. Gowdey	25872	David A. Jakopin	32995	Michael R. Dzwonczyk	36787	Gene I. Su	45140
	Alan K. Aldous	31905	Robert D. Anderson	33826	Joseph R. Bond	36458	Richard C. Calderwood	35468
	Jeffrey S. Draeger	41000	Cynthia Thomas Faatz	39973	Sean Fitzgerald	32027	Seth Z. Kalson	40670
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	Thomas C. Reynolds	32488	Kenneth M. Seddon	43105	Mark Seeley	32299	Steven C. Skabrat	36279
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(1) INVENTOR	R'S SIGNATURE:	Michael Ku	CR	0	ate: 0ec. 12 2001	
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FOR ADDITIONAL INVENTORS, "X" box and proceed on the attached page to list each additional inventor. See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. 81674-249754

## DECLARATION AND POWER OF ATTORNEY (continued) ADDITIONAL INVENTORS

Jon	First	C Melnik Middle Initial	Family Name
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(4) INVENTOR'S SIGNATURE			Date:
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5) INVENTOR'S SIGNATURE			Date:
	First	Middle Initial	Family Name
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7) INVENTOR'S SIGNATURE			Date:
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B) INVENTOR'S SIGNATURE		<del></del>	Date:
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Residence	FRSI	Middle Initial	Family Name
CS/CG/ICE	City	State/Foreign Co	ountry Country of Citizenship
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nclude Zip Code)			
) INVENTOR'S SIGNATURE			Date:
(PRS)	First	Middle Install	Family Name
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	City	State/Foreign Co	ountry Gountry of Citizenship
Post Office Address include Zip Code)			

#### PATENT AND TRADEMARK CASES – RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) it also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

#### PATENT LAWS 35 U.S.C.

#### §102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) The invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- sale in this country, more than one y

  the has abandoned the invention, or

  the invention was first patented or

  applicant or his legal representative

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- f) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States. or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) Before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

#### §103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

PAT-116 2/08 P12834

<sup>\*</sup> Six months for Design Applications (35 U.S.C. 172).